

**CITY OF LINCOLN, NEBRASKA
COMMISSION ON HUMAN RIGHTS
MINUTES
Thursday, December 10, 2009
Council Chambers**

CALL TO ORDER/ROLL CALL

The December 10, 2009 meeting of the Commission on Human Rights was called to order at 4:03 p.m. by Vice Chairperson Karla Cooper.

Roll Call was documented as follows:

MEMBERS PRESENT

Commissioners Karla Cooper, Lori Lopez-Urdiales, Gene Crump, David Fikar, Sitaram Jaswal, Dick Noble. Commissioner Hazell Rodriguez arrived at 4:15 p.m.

MEMBERS ABSENT

Commissioners Jose Quintero, Wendy Francis.

STAFF PRESENT

Director Larry Williams, Investigators Angela Wortman and Margie Nichols.

APPROVAL OF OCTOBER 29, 2009 MINUTES

A motion was made and seconded to approve the minutes of the October 29, 2009 meeting.

Hearing no discussion, Vice Chair Cooper requested roll call.

Voting Aye: Commissioners Crump, Fikar, Jaswal, Noble.

Abstaining: Cooper, Lopez-Urdiales.

Motion to approve the October 29, 2009 minutes carried 4-0-2

APPROVAL DECEMBER 10, 2009 AGENDA

A motion was made by Commissioner Fikar, seconded by Jaswal to approve the December 10, 2009 meeting agenda.

Voting Aye: Commissioners Cooper, Crump, Noble, Fikar, Jaswal, Lopez-Urdiales.

Motion to approve the December 10, 2009 Minutes carried 6-0.

CASE DISPOSITIONS

1. LCHR No.: 09-0424-017-E-R

A motion for a finding of No Reasonable Cause was made by Commissioner Crump, seconded by Commissioner Jaswal.

Discussion: Commissioner Fikar asked what time the work schedule was to start. Investigator Wortman indicated the schedule had changed. Complainant had been scheduled to start work at 5 p.m., but it was changed to 5:30 p.m. (or it could have been 5:30 p.m. and changed to 6 p.m.). Complainant had called in that afternoon (before his shift) to a supervisor to report that he was going to be late, and also called back around 6:20 p.m. Wortman adds that the Complainant had received a written warning one week earlier indicating he needed to be on time. She also confirmed that other employees had been advised the same.

Hearing no further discussion, Vice Chair Cooper requested roll call.

Voting Aye: Commissioners Jaswal, Lopez-Urdiales, Noble, Cooper, Crump, Fikar.
Motion for a finding of **No Reasonable Cause** carried 6-0.

2. LCHR No.: 09-0506-020-E-R

A motion for a finding of No Reasonable Cause was made by Commissioner Jaswal, seconded by Commissioner Fikar.

Discussion: Commissioner Fikar noted that there was a lot of additional coaching/training given to the Complainant. Investigator Wortman agreed. Of concern were some of the stipulations placed on the Complainant especially in the one-to-one meetings she requested; however, Wortman didn't feel like it was enough to show a denial of a reasonable accommodation. Wortman added that Respondent did a fairly good job explaining their reasoning for the stipulations such as keeping the Complainant focused during the meetings, and allowing Respondent time to gather literature and other educational materials prior to the meetings.

Hearing no further discussion, Vice Chair Cooper requested roll call.

Voting Aye: Commissioners Lopez-Urdiales, Noble, Cooper, Crump, Fikar, Jaswal,.
Motion for a finding of **No Reasonable Cause** carried 6-0.

3. LCHR No.: 09-0702-028-E-R

A motion for a finding of No Reasonable Cause was made by Commissioner Crump, seconded by Commissioner Jaswal.

Hearing no discussion Vice Chair Cooper requested roll call.

Voting Aye: Commissioners Noble, Cooper, Crump, Fikar, Jaswal, Lopez-Urdiales.
Motion for a finding of **No Reasonable Cause** carried 6-0.

PRE-DETERMINATION SETTLEMENT AGREEMENTS

Vice Chair Cooper requested that items 4, 5, 6 be heard as a group.

A motion was made by Commissioner Fikar, seconded by Commissioner Lopez-Urdiales to accept the pre-determination settlement agreements as written.

4. LCHR No.: 09-0504-019-E-R

5. LCHR No.: 09-0702-027-E-R

6. LCHR No.: 09-0731-038-E-R

Hearing no discussion Vice Chair Cooper requested roll call.

Voting Aye: Commissioners Crump, Fikar, Jaswal, Lopez-Urdiales, Noble, Cooper.
Motion to accept settlements 6-0.

7. LCHR No.: 09-0818-009-H

A motion to approve the pre-determination settlement agreement pending the required signatures was made by Commissioner Crump, seconded by Commissioner Fikar.

Hearing no discussion Vice Chair Cooper requested roll call.

Voting Aye: Commissioners Fikar, Jaswal, Lopez-Urdiales, Noble, Cooper, Crump.
Motion to accept carried 6-0.

ADMINISTRATIVE CLOSURES

8. LCHR No.: 09-0728-036-E-R

A motion to accept the Administrative Closure/Withdrawal was made by Commissioner Nobel, seconded by Fikar.

Hearing no discussion Vice Chair Cooper requested roll call.

Voting Aye: Commissioners Lopez-Urdiales, Noble, Cooper, Crump, Fikar, Jaswal.
Motion to accept the Administrative Closure carried 6-0.

OLD BUSINESS

Election of Officers

A motion was made by Commissioner Noble, seconded by Lopez-Urdiales to accept the nominations of Wendy Francis as Chair and Karla Cooper as Vice-Chair.

Voting Aye: Cooper, Crump, Fikar, Jaswal, Lopez-Urdiales, Noble.
Motion carried 6-0.

Reappointments approved: Wendy Francis as Chair and Karla Cooper as Vice-Chair

NEW BUSINESS

Commissioner Appointments

Larry Williams advised the Commissioners that he had met with the Mayor on the three commissioner candidates. Appointments were still under consideration with final decisions to be made before the holidays.

Hazell Rodriguez arrived at the meeting at 4:15 p.m..

PUBLIC COMMENTS

No public comments.

Larry Williams thanked retiring Commissioners Fikar, Jaswal and Lopez-Urdiales for their outstanding contributions to the residents of Lincoln. He presented each with a Certificate of Appreciation on the behalf of the City of Lincoln signed by Mayor Chris Beutler and himself as Director of the Lincoln Commission on Human Rights. Each also received a Chief Standing Bear medallion.

The Mayor arrived to thank and congratulate Commissioners Jaswal, Fikar and Lopez-Urdiales for their many years of dedicated service on the Commission representing the residents of Lincoln.

Group photos were taken with the Mayor, Commissioners Jaswal, Fikar, Lopez-Urdiales and Larry Williams.

Williams reminisced on the 22 years of experience the outgoing commissioners represented, and how he believed the Commission has improved over the years.

Each outgoing Commissioner expressed their thanks for the opportunity to serve on the Commission and the work that staff does.

ADJOURNMENT

Commissioner Nobel moved to adjourn, seconded by Lopez-Urdiales.
Meeting adjourned at 4:30 p.m.

NEXT MEETING

The next meeting is scheduled for 4:00 p.m, Thursday, January 28, 2010 in the Council Chambers.